



## PLANNING BOARD MINUTES

August 19, 2025

C. Howard Post, Chair, opened the meeting at 7:32 p.m. Pledge

Present: C. Howard Post (Chair), Carole Furman (Vice Chair), Mike Tiano, Bob Hlavaty, Kevin Brady, Al Riozzi and Gina Kiniry.

Also Present: Adriana Beltrani (Town Planner, NPV).

Absent: Brandon Schiller (alternate).

The draft minutes of the July 15, 2025 Planning Board meeting were reviewed. A motion was made by Tiano, seconded by Hlavaty, to approve. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

### **PUBLIC HEARINGS**

#### **1. Cellco Partnership d/b/a Verizon Wireless, Site Plan/SUP (Cell Tower), 417 Washington Avenue Ext.**

Presented by James LaValle, Young/Somer LLC. The public hearing has been held open pending additional notification. The date on the previous notification mailers was incorrect for the July 15, 2025 meeting. A new notice was sent, via certified mail, return receipt and the confirmations were received by the Planning Board Secretary prior to re-opening the public hearing.

Post re-opened the public hearing at 7:37pm. Public comments:

- Miesje Jolley, 351 Washington Ave. Ext.-read a statement from residents of Washington Ave. Ext. expressing the need for a cell tower but not in favor of the location. Alternate location should be considered that it will not affect property values, esthetics of the area, create negative visual impacts. The proposed location creates health and safety concerns being located adjacent to a recreational facility where children play. Concerns regarding underground installations and what that will do to runoff. Does not fit Special Use Permit requirements found in Section 245-33 of the zoning law that the proposed use is in harmony with the character of the neighborhood and will have no adverse effects. This location is not in harmony as it is proposed by a school and recreational facility. Verizon has 98% coverage in the area. Alternate locations should be explored in a more industrial or commercial use area.
- Will Farrell, 470 Main Street-there are lawsuits throughout the country against providers for towers being erected near schools all the time. There is very good coverage already, we do not need an additional cell phone tower. Do not see the purpose. People can't even walk into stores because of the wireless technology causing them harm, they get sick. Kids are getting tumors from wifi. Radiation from the towers is causing autism at an alarming rate. Other health issues are caused by them as well.

LaValle-in response to the underground installation, it will be installed via trenches and no additional run off is expected. The only concrete will be the pad in which the tower is constructed. There will be no additional run off or pooling. Property values-the first thing prospective buyers look at are cell service when looking at a house and the closer to a tower the better the service. Verizon coverage is not great in the area of the proposed tower location. The natural topography creates ridges and valleys that make it hard for the existing towers to interconnect. The proposed location, on the ridge, allows for a shorter tower that still creates the connection that is needed to eliminate dead zones. RF safety concerns-monitored by the Federal Government and the proposed

tower will produce less than 2% of the acceptable level of emissions allowed by the FCC, when it is maxed out like for a large event such as Woodstock 94'. It will give off less than a baby monitor, microwave or pace maker.

Beltrani-the Planning Board has been informed by resolution of the Town Board, dated 11/6/24, that the Town has entered into a lease agreement with the applicant. The Town Board has reviewed the Monroe Balancing Test which looks at all aspects of public interest. The Town Board determined that waiving the zoning district regulations will be a benefit to the public in terms of emergency communications and outweighs the need to subject the Town to some of its own regulations, specifically siting. Preserving zoning provisions except for zoning requirements related to siting including Section 245-10 and 245-11P(4)(a)(8) through 11P(4)(3)(b), 11P(6), 11P(7)(c-e) and 11P(9)(a)(1-3). The Planning Board will review SEQR and the terms of the Special Use Permit and Site Plan. A Visual Impact Study was provided and reviewed by the Planning Board.

- Barbara Budik, 1088 Kings Highway-there is an existing cell tower at the Town Hall, why not add to that? LaValle-unfortunately, that location will not cover the area that is lacking due to the topography. Can not raise the height of that tower to meet the need without going over the allowed threshold.

Post-any additional comments? None. A motion was made by Hlavaty, seconded by Furman, to close the public hearing since there were no additional comments/concerns. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried. The public hearing was closed at 7:58pm.

Post-the Board received an updated site plan yesterday and will need time to review. Tiano-will the applicant be looking to raise the height of the tower in 3 years? LaValle-no plans to increase the height of this tower. Also the applicant does not wish to take part in the exemptions in the tax code.

No further action can be taken by the Board at this time. The applicant will be back before the Board at the September 16th meeting once the members and Town Planner have had a chance to review the updated site plan.

**2. Minor Subdivision (2-Lot), Barbara Budik, 1088 Kings Highway.** Presented by Walter Eckert, Brinnier & Larios, P.C. The applicant is proposing to subdivide a 70+ acre parcel into two lots, one 9.85 acres and the second 63.319 acres. Changes to the proposed subdivision map have been made as requested by the Planning Board.

Post opened the public hearing at 8:01pm. The Certified Mail/Return Receipts were given to the Planning Board Secretary prior to the opening of the public hearing. Public Comments: No one was present with comments/concerns for the public hearing. Beltrani-the subdivision has been updated to include a flag lot to the rear creating a shift with all users having direct access to a mapped road. The Road Maintenance Agreement/Access Agreement will have to be updated to reflect the proposed use change. Future development of Lot 2 will require site plan approval by the Planning Board, a note has been added to the plat to reflect that.

A motion was made by Tiano, seconded by Kiniry, to adopt a negative declaration under SEQR. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried. A motion was made by Hlavaty, seconded by Brady, to close the public hearing since there were no comments/concerns. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

Beltrani-there is an ongoing effort to create additional access with the extension of the Town Road known as Tissall Road. A letter has been received from the Town Board endorsing the dedication of that extension to the Town. More information will be provided as received.

A motion was made by Hlavaty, seconded by Furman, to conditionally approve the 2-lot minor subdivision as proposed pending the following conditions; future site plan review will be required for improvements to Lot 2, denote existing and proposed lot lines on final plat and an updated Road Maintenance Agreement and Right of Way/Access Easement to be submitted to the Planning Board Attorney for review and approval. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

### **OLD BUSINESS**

**1. Major Subdivision (5-Lot), Littleton Partners LLC, Goat Hill Road.** Presented by Scott Oiumet and Andrew Horlock, Kaaterskill Associates. The applicant has received comments from the Town Engineer regarding the SWPPP and will be addressing accordingly. Met with the Highway Department to get a better location for the curb cut to create appropriate sight distance. The Fire Department has requested that pull offs be added and addressed. Beltrani-a public hearing was held, engineer comment letter received with the suggestions as mentioned. The application will require a wetland permit for crossing of the wetlands with the culvert. The applicant will have to build and bond the roadway. Oiumet-the applicant would like to build out the road. Beltrani-preliminary subdivision approval can be given to allow the applicant to build the road and final approval can be given once the Town Engineer has signed off on the road, once built. The Board adopted a negative declaration in June and the public hearing was closed.

A motion was made by Kiniry, seconded by Furman, to grant conditional preliminary approval of the subdivision pending completion of the following conditions; final approval of the SWPPP by the Town Engineer, Jurisdictional Determination from the NYS DEC and compliance with any permitting requirements that may be associated with a positive determination of jurisdiction. Final subdivision approval is granted for the proposed subdivision subject to the following conditions, which shall be complied with by the applicant as a pre-requisite to approval or permit and prior to the signing of the final plat; acceptance of the Shared Roadway Ownership and Maintenance agreement by the Planning Board Attorney, build-out of the Private Rural Road, inspected and accepted by the Town Engineer pursuant to §215-16 and 19.C of the Town of Saugerties Subdivision code and submission of a letter signifying same, as built drawings of roadway improvements. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

**2. Major Subdivision (8-Lot), Damian Repucci/The Homes at Witt's Pond, 224 Blue Mountain Road.** Presented by Scott Oiumet and Andrew Horlock, Kaaterskill Associates. The Highway Department has no issues with the proposed property entrance of the road. NYSDEC has come back with the confirmation that there are jurisdictional wetlands located on the parcel. Have a meeting scheduled with NYSDEC regarding the wetlands and have created a 100' buffer as required. Minimize impacts with NYSDEC with road installation. Currently working on SWPPP to submit to the Town Engineer for review. SHPO responded with "no impact". Beltrani-the project is awaiting review of engineering, once submitted. The adjacent property owner's consent is still needed for the shared road. Part II EAF has been drafted, for Planning Board approvals. The applicant will be responsible for Part III. A conservation subdivision is being evaluated by the applicant. Deed restrictions may be imposed but not the applicant's desire.

A motion was made by Hlavaty, seconded by Tiano, to accept Part II of the EAF. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

**3. Site Plan, 595 Glasco Turnpike/Md Hossain, 595 Glasco Turnpike.** Presented by Kristina Dousharm and Zak Hall, Kristina Dousharm Architecture. The applicant is proposing to reuse an existing structure into a deli and convenience store. Will be connected to municipal water/sewer. The bottom floor of the structure, consisting of 2, 519 square feet of retail space will house the deli/convenience store and the second floor will be used for residential rental units. Using the zoning calculation for parking the applicant would be required to provide 13 parking spaces. However, the layout of the parcel does not leave enough room for the total of 13 spaces so the applicant is requesting a waiver of 7 spaces, providing 6 spaces. Will only be using the front part

of the building for retail space, the rear of the building will be used for back of house operations including kitchen, prep kitchen and storage space. The proposed square footage to be used for actual retail space of the deli/convenience store is 972 square feet, calculating to the requirement of 4 parking spaces. Post-the concern is if there is not enough parking on-site customers will begin to park on Kings Highway. How will that be addressed? Hall-the applicant has no issues with posting "No Parking" signs on the side of the building along Kings Highway. Tiano-from the drawing supplied it does not look like there are doors from the storage areas on the first floor to the retail area? Dousharm-there is access to those areas from the retail space. All of the extra area will simply be storage to fill out the rest of the first floor, while only using the retail space that the applicant requires for the deli/convenience store. Furman-will tenants from the second floor use the storage space on the first floor? Dousharm-no. Beltrani-is seating proposed within the retail space? Dousharm-no. Kiniry-where is the parking for the tenants? Dousharm-three spaces are proposed, 1.5 per unit as required. They are located by the entrance to the second floor. Hlavaty-can the Planning Board request to come back if they decide to use additional retail space and reevaluate the parking, if a waiver is granted? Beltrani-the Board can suggest that the applicant show land banked parking that would be developed if the additional parking is required in the future. The waiver is at the discretion of the Board. How will the applicant handle deliveries? Dousharm-deliveries will only be scheduled outside of operating hours. Beltrani-a note of such should be added to the plans. Dousharm-there is a comment in the review memo regarding screening of dumpsters. Can that be explained? Beltrani-it is best practice and may be part of building code, will check with the Building Department, that dumpsters have to be screened to the extent possible. Post-should be able to screen the back and west side to hide refuse. Dousharm-we are hooking up to municipal water and sewer, why do we have to show the well and septic locations? Can we just provide a decommissioning note of the existing well and sewer as per NYS requirements? Beltrani-that would be sufficient but you will also be required to obtain "will serve" letters from the municipal water and sewer department. Landscaping will have to be looked at. There is existing landscaping and the parcel is a corner lot on two roads with significant traffic. The applicant should show if additional landscaping is proposed and the existing tree line. Any landscaping proposed on the corner will have to keep sight distance in mind. Dousharm-not proposing additional landscaping. We have been in touch with the County DPW regarding the curb cut. Beltrani-the Town Engineer has concerns with the access and customers backing out onto Kings highway. Need a written statement from the County DPW regarding access, easement movement, circulation is delineated and safe. Post-would like to set up a site visit to look at access and landscaping. Brady, Hlavaty, Kiniry and Furman all volunteered. A site visit will be set up via email. Dousharm-will be providing proposed signage, parking markers and "No Parking" signs to be added. Beltrani-will want to discuss with the Ulster County DPW as the area in which the signage may be installed could be in their Right of Way.

Beltrani-this application does need to be referred to the Ulster County Planning Board. A motion was made by Tiano, seconded by Riozzi, to refer to the Ulster County Planning Board. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

**4. Site Plan Amendment, 87 Overlook Estates/Daval Group, LLC, 87 Overlook Estates.** Presented by Khattar. Elmassalemah, Praetorius & Conrad, P.C. The applicant is proposing to construct an additional 4 unit apartment building in an existing apartment complex. The Ulster County Planning Board referral response comments were received. The applicant has provided 3 EV charging parking spaces, one of the UCPB response comments. Lighting cutsheets were submitted at the meeting. Landscaping between the new parking and the neighbors needs to be addressed, and plan on leaving the existing vegetation. There is a street light on the corner of the complex for safety. Security lights are proposed on each door. Do not propose touching the existing parking, no drainage issues are identified for the additional parking proposed. Flat area where the building is proposed so minimal disturbance is proposed in that area as well. Beltrani-the parking landscaping requirement within the site plan review area of the zoning code does require 20% gross landscaping. There is natural landscaping existing in the existing parking areas. There is no waiver for this provision. It will be up to the applicant to show the requirement is met.



A discussion followed with the Planning Board regarding whether a fence in between the parking area and the adjoining parcel is necessary. The majority of the Board, with a vote of 2-yes and 5-no, does not seem to be necessary as it would hinder snow removal. The foliage buffer is suitable.

A motion was made by Mike Tiano, seconded by Carole Furman, to override the County comments, as they have already been addressed, and conditionally approve the site plan amendment. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

### **PRE-HEARING CONFERENCE**

***\*\*The Planning Board moved up item #4 from the Pre-Hearing Conference section of the agenda as it is being presented by Khattar Elmassalemah as well.***

**1. Major Subdivision (8-Lot), Solo Holidays, LLC, Cottontail Lane/Route 212.** Presented by Khattar Elmassalemah, Praetorious & Conrad, P.C. The applicant is proposing an 8 lot residential subdivision on two parcels totalling 75+/- acres. The current access via Route 212 is being closed and the only access will be via an extension of Cottontail Lane to a cul de sac. The topography and presence of wetlands on the two parcels make the subdivision layout interesting. The applicant is trying to work around the natural obstacles of the parcels. The wetlands and topography have been shown on the proposed subdivision map and Jurisdictional Determination has already been submitted to the NYSDEC. The applicant has already shown the 100' buffer around the existing wetlands as required by NYSDEC. Not looking to maximize the land but a conservative subdivision would not be feasible. There is minimal impact on wetlands with the proposed access via the extension of Cottontail Lane. Applicant is hoping to dedicate the extension to the Town. There are two existing wells on site and they have been identified and will be used with the layout of the subdivision. Additional wells and septic areas have been demonstrated on the preliminary plat. Raised sewer systems will be required. Possible driveways have been demonstrated. The applicant has created a subdivision layout that will create minimum impact. A cluster subdivision is nearly impossible because of the property features. Beltrani-you may be able to use some of the studies done by the previous project, Terramor. Will require speaking with the fire department and highway department regarding access. Post-the proposed subdivision is a great use of the parcels in comparison to those previously proposed. Elmassalemah-we have submitted a Jurisdictional Determination to the NYSDEC on May 30, 2025. The applicant is looking to ensure the resources on-site are preserved.

No further action can be taken by the Planning Board at this time.

**2. Site Plan, Michael Maxwell, 73-75 River Road.** Presented by owner, Michael Maxwell. The applicant was recently before the Zoning Board of Appeals regarding the requirement to apply for site plan approval for movement of a driveway within the Waterfront Overlay District as determined by the Building Inspector. It was the ZBA's decision to concur with the Building Inspector's interpretation and require site plan approval for movement of the driveway. The applicant has received a curb cut permit for the new location and the driveway has been built, as the applicant was not aware that a site plan approval was required when first installing the new driveway. The driveway consists of gravel. The applicant is looking for site plan approval regarding the driveway and installation of a concrete pad for a spa (exercise pool). Furman-why was the driveway relocated? Maxwell-the original driveway was in this location that the driveway has been relocated to. Just moving it back. Hlavaty-will the installation of the spa create any reflective materials? Tiano-are lights proposed? Maxwell-no to both. Post-the proposed driveway and concrete pad seem to meet the requirements within the Waterfront Overlay.

A motion was made by Hlavaty, seconded by Brady, to approve the site plan amendment as proposed. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

**3. Site Plan/SUP (1-Site Residential Campground), Barbara & John Farcher, 1110 Josephs Boulevard.**

Presented by the owner, Barbara Farcher. Looking to host one campsite on their property, which they live on in a separate single family residence. The campsite will consist of an Air Stream camper with deck and outside shower. Will be renting seasonally. The camper has an interior bathroom with a holding tank, the tank will be emptied/pumped by a professional service as needed. Fresh water will be provided via the residential well on site. The camper will be hooked up to its own electric. Will exclusively use AirBnB to rent the unit. Have an emergency contact, if we are not present on the property in the event of an emergency. The contact is 16-minutes from the property. Beltrani-do you plan to host any events on-site? Farcher-no. Only two guests are allowed on the site at one time. Beltrani-the review memo provided includes a list of items to add to the site plan. Items need to be a little more clear. An aerial view of the existing conditions would be helpful. The applicant can move forward with public hearing and just provide a site plan that is a little more clear.

A motion was made by Tiano, seconded by Riozzi, to set the public hearing for the September 16, 2025 monthly Planning Board meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

**4. Lot Line Revision, Barbara & John Farcher, 3105 & 3107 Route 9W.** Presented by Mike Vetere III, Vetere Land Surveying, PLLC. The applicant is looking to clear up some encroachments between the business and residential parcels. The parcel containing the business “Lox of Bagels” will now encompass the area of paved parking and leave a 21.6’ flag pole portion to the remaining lands of the adjacent residential property containing a single family residence. The proposed lot line adjustment meets all setbacks within the zoning district. Beltrani-no comments as the proposed lot line revision meets all requirements to waive the sketch plan requirement and move forward.

A motion was made by Riozzi, seconded by Brady, to waive sketch plan approval, waive public hearing and approve the lot line revision as proposed. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

**5. Major Subdivision (3-Lot), Seve Rucano, 32 Dave Elliott Road.** Presented by the owner Steve Rucano. The applicant is looking to subdivide a 9.5 acre parcel into three lots. One consisting of 4.5 acres with an existing house and one buildable lot consisting of 3 acres; both with separate access from Dave Elliott Road. The last buildable lot consists of 2 acres with access from Kings Highway. As per the Planner’s memo additional items will be added to the map as suggested. Looking to keep disturbance under the one acre threshold for SWPPP purposes on the two new proposed buildable lots. Beltrani-the applicant will require Ulster County DPW approval for the Kings Highway curb cut. Rucano-understood. Test holes have been done for the septic and the area is suitable for fill systems.

Beltrani-this is an Unlisted Action under SEQR. The NOI can be circulated and the Board may want to reach out to the Historical Preservation Committee as it is located adjacent to the Asbury Historic District. The applicant will need to submit to the SHPO CRIS system. A public hearing is required.

A motion was made by Hlavaty, seconded by Riozzi, to declare this an Unlisted Action under SEQR, circulate the NOI, refer to HPC and set the public hearing for the September 16, 2025 monthly meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

**6. Site Plan. Sarah Burns & May Herskovitz, 54 Chimney Road.** Presented by the applicants’ agent, George Christodoulou from Modern Shacks, LLC. The applicant is before the Board because the parcel is located within the Waterfront Overlay district and a site plan approval is required to construct a 380 square foot addition to their single family residence. A lighting fixture cut sheet was provided,

full cut off, sconce. Will be using an architectural roof material and non-reflective windows on the river-side. Notes to be added to the final site plan.

A motion was made by Brady, seconded by Riozzi, to approve the site plan for the 380 square foot addition to the existing single family residence. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

**7. Site Plan/SUP (Event Venue), Black Walnut Farm, 1032 Kings Highway.** Presented by owners, Jim Glaub and Sarah Tracey. The applicants are seeking approval to facilitate an event venue for smaller scale events. Have already submitted NYSDEC jurisdictional determination and received a response that there are jurisdictional wetlands located on the parcel. The development has been based on that for the future proposed road that will hopefully come into the property from Tissal Road. Solite, an adjacent neighbor, has donated a 100' x 100' section of their parcel to extend Tissall Road to the project site of Black Walnut Farm. This will take time to develop a definitive plan but working on it for the future. Right now there is a detailed plan for visitors/guests to cross the current entrance/exit over the train tracks. Like to utilize shuttle services from local hotels for guests. Any shuttle that is being used is required to have 18" clearance from the ground to ensure no issues going over the train tracks. There will always be an attendant at the train tracks during events manning the ropes that have been installed on both sides of the tracks. Received the Planner's review memo and will address comments for the next submission.

Beltrani-there is a requirement within the zoning for lodging and events that major event venues have access to the site via a state, county or town road. A major event venue would be anything over 150 guests at one time. The board could consider an approval of a minor event venue and then the applicant can come back for the major event venue once the extension of Tissal Road is brought up to Town standards and dedicated to the Town. Tracey-may not want to move up to a major event venue, right now a minor event venue seems to be what we would like to do. Beltrani-to be considered a rural event venue you would have to require that anyone that is staying overnight would have to be a guest of the event on site. You plan on opening beyond a minor event; you have to come back for an amendment or you can propose phases at this point for approval. A Special Use Permit will address access from Kings Highway and access from Tissall Road. There will be an environmental review of the extension of Tissal Road. Need engineered site plan before a public hearing can be set.

No further action can be taken by the Board at this time.

#### **ADDITIONAL ITEMS**

None

#### **ADJOURNMENT**

Since there was no further business to discuss, a motion was made by Kiniry, seconded by Riozzi, to adjourn the meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried. The meeting was closed at 10:20 pm.

Respectfully Submitted by,

Becky Bertorelli  
Planning Board Secretary